

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

EXAMINER: Thong Q. Nguyen ATTY DOCKET #: 500343.20100
APPLICANTS: Gerhard J. Mueller GROUP ART UNIT: 2872
SERIAL NO.: 10/787,525
FILING DATE: February 26, 2004
TITLE: MICROSCOPE FOR REFLECTED-LIGHT AND TRANSMITTED-LIGHT MICROSCOPY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22314-1450

DECLARATION OF GERALD H. KIEL

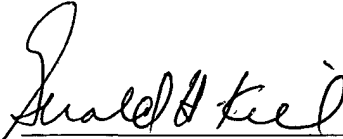
Sir:

I, GERALD H. KIEL, hereby declare:

1. I reside at 55 Landing Drive, Dobbs Ferry, New York 10822.
2. I am a Partner with Reed Smith LLP ("Reed Smith") and represent the assignee of the above identified application, Carl Zeiss Jena GmbH.
3. The original application features an adaptive mirror and is incorporated by reference to foreign patent DE 26 31 551.
4. In the amended application, Applicant has added portion of the foreign patent DE 26 31 551 regarding the structure and function of the adaptive mirror.
5. The amended material in the present application is the same material in the referencing application (DE 26 31 551).

Declaration of Gerald H. Kiel

6. I declare under the penalty of perjury under the laws of the United States that the foregoing is true and correct and that this Declaration was executed in New York, New York on March 15, 2005.

A handwritten signature in cursive script, appearing to read "Gerald H. Kiel", is written over a horizontal line.

Gerald H. Kiel